IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GHULAM MOHAMMED

WRIT PETITION NO.26836 of 1995

Between:

H.Chinnappa S/O Hanumanthappa,
Govt. S.C.Boys Hostel, Demakethepalli, Ananthapur District.

...PETITIONER

AND

1. The State of A.P. rep. By its Secretary to Government, Social Welfare Department, Secretariat, Hyderabad.
2. The Commissioner of Social Welfare, Samkashema Bhavan, Masab Tank, Hyderabad.
3. The Deputy Director of Social Welfare, Ananthapur.
4. The District Social Welfare Officer, Ananthapur.
5. The Warden, S.C. Boys Hostel, Demakethepalli, Chilamathur Mandal, Ananthapur District.

...RESPONDENTS.

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order, or direction especially a Writ of Mandamus, directing the Respondents 1 to 4 herein to regularize the services of the petitioner in the time scale of pay of Rs.740-15-950-20-1150 with effect from the 1st date of his appointment on 10-9-86 with all the due pay and allowances and all other

consequential and other benefits.

Counsel for the Petitioner: MR.T.K.SRIDHAR

Counsel for the Respondents: GP FOR SOCIAL WELFARE

The Court made the following:

THE HON'BLE MR JUSTICE GHULAM MOHAMMED

WRIT PETITION NO.26836 of 1995

ORDER:

The petitioner, by way of this Writ Petition filed under Article 226 of the Constitution of India, seeks a direction to regularize his service from the date of his appointment with all consequential benefits.

It is represented by the learned Government Pleader for Social Welfare that since this matter relates to regularization of the services, the present Writ Petition is not maintainable and the petitioner has to approach the Andhra Pradesh Administrative Tribunal.

It is stated that the petitioner was appointed by the third respondent-Deputy Director of Social Welfare, Ananthapur vide orders in R.C.No.541/85 (56), dated 08.09.1986, as daily wages worker and continuing as such. This Writ Petition has been filed contending that the petitioner is eligible for absorption and regularization of his services.

No counter has been filed by the respondents.

Inasmuch as the instant Writ Petition has been filed in the year 1995 and has been admitted on 30.11.1995, seeking regularization of the services of the petitioner, considering the circumstances of the case, and the fact that the matter is pending consideration before this Court, without going into further merits of the matter, I am inclined to dispose of the Writ Petition directing the respondents to consider the case of the petitioner for regularization of his services, as per law and pass appropriate orders.

With the above direction, the Writ Petition is disposed of. No costs.

_

_____

(GHULAM MOHAMMED, J)

10th February 2005

RRB

ASSISTANT REGISTRAR

//True Copy//

SECTION OFFICER

Copy To:

1. The State of A.P. rep. By its Secretary to Government, Social Welfare Department, Secretariat, Hyderabad.

2. The Commissioner of Social Welfare, Samkashema Bhavan, Masab Tank, Hyderabad.

3. The Deputy Director of Social Welfare, Ananthapur.

4. The District Social Welfare Officer, Ananthapur.

5. The Warden, S.C. Boys Hostel, Demakethepalli, Chilamathur Mandal, Ananthapur District.

6. Two CCs to G.P. for Social Welfare, High Court Buildings, Hyderabad (OUT).

7. Two CD copies.